

**HAWAII STATE  
HOUSE OF REPRESENTATIVES**

**REGULAR SESSION OF 2012**

***ROUGH DRAFT  
JOURNAL***

**THIRTY-SIXTH DAY  
MARCH 21, 2012**

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## THIRTY-SIXTH DAY

Wednesday, March 21, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Representative Marcus R. Oshiro, after which the Roll was called showing all Members present with the exception of Representatives Coffman, Herkes, Kawakami, Riviere and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Fifth Day was deferred.

## SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 421) was received and announced by the Clerk:

Sen. Com. No. 421, transmitting H.B. No. 2769, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," which passed Third Reading in the Senate on March 20, 2012.

## INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Johanson introduced his friend, Mr. Jay Kang, Director of Investments with the Conrad N. Hilton Foundation in Los Angeles and his girlfriend, Ms. Christina Ryu. They were accompanied by Representative Johanson's parents, Mrs. Cindy and Mr. Larry Johanson.

Representative Cullen introduced his constituent, Ms. Stacy Hayashi.

Representative M. Lee introduced her Office Manager, Mr. Keanu Young; his girlfriend, Ms. Kimberly Click; and their son, 'Aukai Young.

## ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 184) was announced by the Clerk and the following action taken:

H.R. No. 184, entitled: "HOUSE RESOLUTION CONVEYING SINCERE AND GENUINE APPRECIATION FOR THE CONTRIBUTIONS OF THE HAWAII CONTINGENT OF STAFF AND VOLUNTEERS WHO SUPPORTED THE ASIA-PACIFIC ECONOMIC COOPERATION ECONOMIC LEADERS' MEETING 2011," was offered by Representative Awana.

Representative Awana moved that H.R. No. 184, be adopted, seconded by Representative McKelvey.

Representative McKelvey introduced honorees seated on the Floor of the House, and thanked them for their foresight and for taking the leadership role in the application process to secure Hawaii as the APEC 2011 Leaders' Meeting host state:

Ms. Prescilla Texeira, Managing Director of PRIME Hawaii; and  
Dr. Charles Morrison, President of the East-West Center.

Representative Ward introduced honorees seated on the Floor of the House and thanked them for their leadership and participation toward the success of the event:

Ms. Stephanie Saito, Vice President, Bank of Hawaii; and

Mr. Clayton Kau, Asst. Chief, Honolulu Police Department.

Representative Ward also recognized and thanked the members of the Honolulu Police Department who were seated in the Gallery:

Chief Louis M. Kealoha, Chief of Police, Honolulu Police Department;  
Deputy Chief Dave Kajihiro;  
Deputy Chief Marie McCauley;  
Assistant Chief Mark Nakagawa;  
Assistant Chief Bart Huber;  
Assistant Chief Gregory Lefcourt;  
Assistant Chief Randal Macadangdang; and  
Assistant Chief Susan Dowsett.

Representative Awana then introduced Mrs. Pualani Jones, one of the many volunteers and Ambassadors of Aloha who was seated on the Floor of the House. She was accompanied by her husband, Mr. Kimo Jones; and cousins, Ms. Marge and Ms. Puanani Cortes, who were seated in the Gallery.

Representative Brower also thanked the organizers of APEC 2011 for showcasing Hawaii's ability to host world-class events and our expertise in tourism.

Representative Ching also thanked the many volunteers for all their hard work.

Representative Yamane commended the men and women of the Honolulu Police Department, as well as the Honolulu Fire Department, our Emergency Medical Service personnel, our National Guard and other first responders in ensuring the health and safety of our citizens and APEC participants.

The motion was put to vote by the Chair and carried, and H.R. No. 184, was adopted, with Representatives Belatti, Herkes, Luke and Saiki being excused.

The following resolution (H.R. No. 185) was announced by the Clerk and the following action taken:

H.R. No. 185, entitled: "HOUSE RESOLUTION HONORING OLOMANA FOR ITS CONTRIBUTIONS TO HAWAIIAN MUSIC," was jointly offered by Representatives Tokioka, Aquino, Awana, Belatti, Brower, Carroll, Chang, Ching, Chong, Choy, Coffman, Cullen, Evans, Fontaine, Giugni, Hanohano, Har, Hashem, Herkes, Ichiyama, Ito, Johanson, Jordan, Kawakami, Keith-Agaran, C. Lee, M. Lee, Luke, Manahan, Marumoto, McKelvey, Mizuno, Morikawa, Nishimoto, Oshiro, Pine, Rhoads, Saiki, Say, Thielen, Tsuji, Ward, Wooley, Yamane, Yamashita, Cabanilla, Nakashima, Riviere, Souki and Takumi.

Representative Tokioka moved that H.R. No. 185, be adopted, seconded by Representative Nishimoto.

Representative Oshiro thanked the members of Olomana for their gift of music, and told of how their music and the *mana* in their songs helped define a generation and shape political history.

Representative Tokioka then introduced the members of Olomana who were seated on the Floor of the House and thanked them for over 30 years of cultivating and revitalizing Hawaiian music:

Mr. Jerry Santos, vocals and guitar;  
Ms. Haunani Apoliona, vocals and guitar; and  
Mr. Wally Suenaga, bass guitar.

Representative Tokioka also honored the memory of Mr. Robert Beaumont who, along with Jerry Santos, founded the band Olomana in 1973.

Olomana then entertained the Members of the House and audience with the following:

*Ku'u Home O Kahalu'u  
E Ku'u Sweet Lei Poina 'ole  
Alu Like*

Representative Nishimoto introduced other guests accompanying Olomana on the Floor of the House: Ms. Nalani Badua-Fernandes, hula dancer; Mr. Michael Kelly, manager; and Mr. Richard China, soundman.

Representative Nishimoto then introduced guests seated in the Gallery: Mr. Henry Perez, General Manager, Hilton Grand Vacations Club at the Hilton Hawaiian Village; and Ms. Sondra Gibson, Hilton Hawaiian Village resident and Olomana's biggest fan.

The motion was put to vote by the Chair and carried, and H.R. No. 185, was adopted, with Representatives Belatti, Herkes, C. Lee, Luke, Marumoto, Saiki and Wooley being excused.

At 12:55 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:04 o'clock p.m.

#### REPORTS OF STANDING COMMITTEES

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1148-12) recommending that S.B. No. 2582, SD 2, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2582, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," was referred to the Committee on Finance, with Representatives Cabanilla, Herkes, C. Lee, Luke, Marumoto, Saiki and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1149-12) recommending that S.B. No. 2780, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2780, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Herkes, C. Lee, Luke, Marumoto, Saiki and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1150-12) recommending that S.B. No. 2354, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2354, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cabanilla, Herkes, C. Lee, Luke, Marumoto, Saiki and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1151-12) recommending that S.B. No. 2859, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2859, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN

GOVERNMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Herkes, C. Lee, Luke, Marumoto, Saiki and Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1152-12) recommending that S.B. No. 2742, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2742, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Herkes, C. Lee, Luke, Marumoto, Saiki and Thielen being excused.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you Mr. Speaker. I realize I missed the vote on the first measure, but I wanted to, just for the record, to request as I've always done, a ruling on a potential conflict on Stand. Com. 1148, and just note that in the past I've been allowed to vote on this," and the Chair ruled, "no conflict."

Representative McKelvey rose, stating:

"Yes, Mr. Speaker, just a correction. On Number 6, Reports of Standing Committees, it shows Stand. Com. Rep. 1148-12 reporting from Finance, and referred to Finance. But it should be reported from ERB, to Finance, because I don't think Finance heard it twice."

#### ANNOUNCEMENTS

Representative Awana, for the Committee on International Affairs, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures with decision making to follow on: H.R. No. 38 and H.C.R. No. 59.

"These measures urge the United Nations to grant Taiwan participation as an observer in the United Nations' Framework Convention on Climate Change Conference of the Parties Meeting. The reason for this waiver is to request, is to allow for greater participation for committee members and the public. Thank you, Mr. Speaker," and the Chair "so ordered."

Representative Cabanilla: "Thank you, Mr. Speaker. I just would like to announce to the combined Committees of Housing and Hawaiian Affairs will be reconvening for decision making on Senate Bill 3025, SD 2, in Room 325 this afternoon after the completion of the hearings of the Committees of Judiciary and CPC."

At 1:08 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:09 o'clock p.m.

Representative Cabanilla: "Yes, Mr. Speaker. Thank you very much for this opportunity. I will restate my announcement. I would like to announce that the Joint Committees of Housing and Hawaiian Affairs will reconvene this afternoon in Room 325 for decision making on S.B. No. 3025, SD 2. Thank you."

#### ADJOURNMENT

At 1:10 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, March 22, 2012. (Representatives Herkes, C. Lee, Luke, Marumoto, Saiki and Thielen were excused.)